

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, past office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**EFFICIENT DYNAMIC STIMULATION IN AN IMPLANTED DEVICE**

the specification of which:  
(check one)

\_\_\_\_\_ is attached hereto.

x was filed as a §371 national stage of PCT/IL2003/001062,  
filed December 11, 2003  
Application Serial No. 10/538,521

and was amended on June 10, 2005  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
PCT/IL2003/001062	PCT	December 11, 2003	<u>x</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

JPW Rev. 12/17/04

Applicants: Shai Vaingast and Ehud Cohen  
U.S. Serial No.: 10/538,521  
Filed as §371 national stage of PCT  
International Application No.  
PCT/IL2003/001062  
Exhibit B

## Declaration and Power of Attorney

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I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/432,932</u>	<u>December 12, 2002</u>	<u>Pending as of December 11, 2003</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>PCT/IL2003/001062</u>	<u>December 11, 2003</u>	<u>Pending as of June 10, 2005</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Paul Teng (Reg. No. 40,837); Alan J. Morrison (Reg. No. 37,399); and Gary J. Gershtik (Reg. No. 39,992).

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Declaration and Power of Attorney

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Please address all communications, and direct all telephone calls, regarding this application to:

John P. White, Esq. Reg. No. 28,678  
Cropper & Dunham, LLP (Customer Number 23432)  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Shai Vaingast  
Inventor's signature [Signature] Date of signature 12/13/05  
Citizenship Israel  
Residence same as below  
Post Office Address 6 Hacarmel Street  
55900 Ganei-Tikva, ISRAEL

Full name of additional joint inventor (if any) Ehud Cohen  
Inventor's signature [Signature] Date of signature Jul 13, 05  
Citizenship Israel  
Residence same as below  
Post Office Address 8 Hacarmel Street  
55900 Ganei-Tikva, ISRAEL

Applicant or Retentee: Shai Vaincast and Ehud Cohen Attorney's 0518/74605/  
Serial or Patent No.: 10/538,521 No.: JPW/DYK  
Filed or Issued: 6371 national stage of PCT International Application No. PCT/IL2003/001062  
Title of Invention or Patent: Efficient Dynamic Stimulation In An Implanted Device

**VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9 (2)  
AND §1.27 (C) - SMALL BUSINESS CONCERN**

**I hereby declare that I am:**

the owner of the small business concern identified below.

X an official of the small business concern empowered to act on behalf of the concern identified below:

**Name of Concern:** Bio-Control Medical (B.C.M.) Ltd.

**Address of Concern:** 3 Geron Street, 56100 Yehud, Israel

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.3-18, reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees under 35 U.S.C. §41(a) and §41(b), in that the number of employees of the concern, including those of its affiliates, does not exceed five hundred (500) persons. For purposes of this verified statement, the number of employees of the business concern is the average number, over the previous fiscal year, of the persons employed by the business concern on a full-time, part-time, or temporary basis during each pay period of the fiscal year, and concerns are affiliates of each other when, either directly or indirectly, one concern controls or has power to control the other, or a third party or parties controls or has power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled

Efficient Dynamic Stimulation In An Implanted Device  
described in:

the specification filed herewith  
X application serial no. 10/538,521 filed (\$371 national stage of PCT International Application  
patent no. issued No. PCT/IL2003/001062)

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.9(c)\*, any concern which could not qualify as a small business concern under 37 C.F.R. §1.9(d)\* or as a nonprofit organization under 37 C.F.R. §1.9(e)\*.

Name: N/A

**Address:**

Individual ☐ Small Business Concern ☐ Nonprofit Organization ☐

**Noting:**

**Address:**

Individual Small Business Concern Nonprofit Organization

<sup>a</sup>NOTE: Separate verified statements are required for each named person, concern, or organization having rights to the invention averring to their status as small entities. 37 C.F.R. §1.27.

Applicants: Shai Vaingast and Ehud Cohen  
U.S. Serial No.: 10/538,521  
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Exhibit C

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. §1.28(b)\*.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Dr. Ehud Cohen  
Title In Organization: CEO  
Address: 3 Geron Street, 56100 Yehud, Israel

Signature: \_\_\_\_\_

Date Of Signature: 15 Jan, 2005